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JUL 13 2016

 UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF ILLINOIS

 THOMAS G BRUTON
 CLERK, U S DISTRICT COURT

DORIS K. LARGE)

7740 W. 79th PL.)

BRIDGEVIEW, IL 60455)

(Name of the plaintiff or plaintiffs))

CIVIL ACTION

CHIEF EXECUTIVE OFFICE)

BERNARD LARRY)

7920 W. 79th ST)

BRIDGEVIEW, IL)

(Name of the defendant or defendants))

1:16-cv-07194

Judge Amy J. St. Eve

Magistrate Judge Sheila M. Finnegan

COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.

2. The plaintiff is DORIS K. LARGE of thecounty of COOK in the state of ILLINOIS.3. The defendant is (BERNARD LARRY) McDONALD'S, whosestreet address is 7920 W. 79th ST,(city) BRIDGEVIEW (county) COOK (state) IL (ZIP) 60455(Defendant's telephone number) (708) 494-1777

4. The plaintiff sought employment or was employed by the defendant at (street address)

7920 W. 79th ST (city) BRIDGEVIEW(county) COOK (state) IL (ZIP code) 60455

5. The plaintiff [*check one box*]

- (a) ☐ was denied employment by the defendant.
- (b) ☐ was hired and is still employed by the defendant.
- (c) ☒ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about,

(month) JUNE, (day) 1, (year) 2014.

7.1 (*Choose paragraph 7.1 or 7.2, do not complete both.*)

(a) The defendant is not a federal governmental agency, and the plaintiff [*check*

one box] ☒ *has not* filed a charge or charges against the defendant
☐ *has*

asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

(i) ☐ the United States Equal Employment Opportunity Commission, on or about
(month) _____ (day) _____ (year) _____.

(ii) ☒ the Illinois Department of Human Rights, on or about
(month) OCTOBER ~~7-10~~ (day) 30 (year) 2014.

(b) If charges *were* filed with an agency indicated above, a copy of the charge is

attached. ☒ YES. ☐ NO, **but plaintiff will file a copy of the charge within 14 days.**

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

(a) the plaintiff previously filed a Complaint of Employment Discrimination with the defendant asserting the acts of discrimination indicated in this court complaint.



Yes (month) NOVEMBER (day) 1 (year) 2014



No, did not file Complaint of Employment Discrimination

(b) The plaintiff received a Final Agency Decision on (month) MAY
(day) 24 (year) 2016.

(c) Attached is a copy of the

(i) Complaint of Employment Discrimination,



YES



NO, but a copy will be filed within 14 days.

(ii) Final Agency Decision



YES



NO, but a copy will be filed within 14 days.

8. *(Complete paragraph 8 only if defendant is not a federal governmental agency.)*



(a) the United States Equal Employment Opportunity Commission has not issued
a *Notice of Right to Sue*.



(b) the United States Equal Employment Opportunity Commission has issued a
Notice of Right to Sue, which was received by the plaintiff on
(month) MAY (day) 24 (year) 2016 a copy of which
Notice is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [**check only those that apply**]:



(a) Age (Age Discrimination Employment Act).



(b) Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

- (c) ☐ Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d) ☐ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☐ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☐ Sex (Title VII of the Civil Rights Act of 1964)
10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).
11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the A.D.E.A. by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791.
12. The defendant [*check only those that apply*]
- (a) ☐ failed to hire the plaintiff.
- (b) ☐ terminated the plaintiff's employment.
- (c) ☒ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☒ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☒ failed to stop harassment;
- (g) ☐ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) ☐ other (specify): _____
-

13. The facts supporting the plaintiff's claim of discrimination are as follows:

Younger employees were promoted, were given proper training. Was constantly told I would have to move faster & to 'pick up the pace.'

14. **[AGE DISCRIMINATION ONLY]** Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury. ☐ YES ☒ NO

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff
[check only those that apply]

- (a) ☐ Direct the defendant to hire the plaintiff.
(b) ☐ Direct the defendant to re-employ the plaintiff.
(c) ☐ Direct the defendant to promote the plaintiff.
(d) ☐ Direct the defendant to reasonably accommodate the plaintiff's religion.
(e) ☐ Direct the defendant to reasonably accommodate the plaintiff's disabilities.

(f) ☐ Direct the defendant to (specify): *be accountable for his actions on embarrassing me, belittling him, harrasing me to the point of crying or I could not think functionaly to perform my job*

- _____

- (g) ☒ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.
- (h) ☐ Grant such other relief as the Court may find appropriate.

(Plaintiff's signature)

Doris K. Large

(Plaintiff's name)

~~7740 W. 79th PL~~ DORIS KLARGE

(Plaintiff's street address)

7740 W. 79th PL.

(City) BRIDGEVIEW (State) IL (ZIP) 60455

(Plaintiff's telephone number) (708) 510-0881

Date: 7-13-16
~~6-22-16~~

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Doris K. Large
7740 W. 79th Place Apt. #2E
Bridgeview, IL 60455

From: Chicago District Office
500 West Madison St
Suite 2000
Chicago, IL 60661

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

21B-2015-00930

Daniel Lim,
State & Local Coordinator

(312) 869-8082

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☐

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☒

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Julianne Bowman/ht

May 24, 2016

Julianne Bowman,
District Director

(Date Mailed)

Enclosures(s)

cc:

Chief Executive Officer
MCDONALD'S
7920 W. 79th Street
Bridgeview, IL 60455

CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974: See Privacy act statement before completing this form.		<input checked="checked" type="checkbox"/> IDHR <input type="checkbox"/> EEOC	2015CA2181
#15M1007.02			
Illinois Department of Human Rights and EEOC			
NAME OF COMPLAINANT (indicate Mr. Ms. Mrs.)		TELEPHONE NUMBER (include area code)	
Ms. Doris K. Large		(708) 510-0881	
STREET ADDRESS	CITY, STATE AND ZIP CODE	DATE OF BIRTH	
7740 W. 79 th Place, Apt. 2E	Bridgeview, IL 60455	3/29/ 58 M D YEAR	
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE LIST BELOW)			
NAME OF RESPONDENT	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE NUMBER (include area code)	
McDonald's	15+	(708) 496-1777	
STREET ADDRESS	CITY, STATE AND ZIP CODE	COUNTY	
7920 W. 79 th Street	Bridgeview, IL 60455	Cook	
CAUSE OF DISCRIMINATION BASED ON:		DATE OF DISCRIMINATION EARLIEST (ADEA/EPA) LATEST (ALL)	
Age Sexual Harassment		6/1/14 10/12/14 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS OF THE CHARGE ARE AS FOLLOWS:			
<p>I. A. ISSUE/BASIS SEXUAL HARASSMENT – JUNE 2014 THROUGH SEPTEMBER 27, 2014</p> <p>B. PRIMA FACIE ALLEGATIONS</p> <p>1. My sex is female.</p> <p>2. From about June 2014, through September 27, 2014, I was subjected to a sexually offensive work environment by Bernard Larry (male), General Manager, who openly told three young women on at least three occasions how good their bodies looked.</p> <p>3. These incidents were unwanted and unwelcome.</p>			
Page 1 of 3			
I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2015. _____ NOTARY SIGNATURE	
NOTARY STAMP EEO-5 FORM (Rev. 7/12-INT)		X SIGNATURE OF COMPLAINANT DATE I declare under penalty that the foregoing is true and correct I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	

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Complainant: Doris K. Large

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4. The sexual harassment created a hostile and sexually offensive work environment which interfered with the performance of my job.

II. A. ISSUE/BASIS
FAILURE TO PROMOTE – AUGUST 1, 2014, BECAUSE OF MY AGE, 56

B. PRIMA FACIE ALLEGATIONS

1. My age was 56 at the time of the alleged violation.
 2. Respondent had an available position for setup.
 3. I am qualified for the set up position and Respondent was aware of my interest in being promoted.
 4. On or about August 1, 2014, Bernard Larry (age unknown), Manager, failed to promote me to the set up position. No reason was given.
 5. A similarly situated younger less qualified candidate was promoted to the position.
-

III. A. ISSUE/BASIS
UNEQUAL TERMS AND CONDITIONS OF EMPLOYMENT–AUGUST 20, 2014, BECAUSE OF MY AGE, 56

B. PRIMA FACIE ALLEGATIONS

1. My age was 56 at the time of the alleged violation.
2. My job performance met Respondent's expectations. I was hired on May 21, 2014.
3. On August 20, 2014, I was subjected to unequal terms and conditions of employment, when, I was not allowed breaks and lunch.
4. Similarly situated younger employees under the age of 40 were not treated in this manner.

IV. A. ISSUE/BASIS
DENIAL OF HOURS –AUGUST 23, 2014, BECAUSE OF MY AGE, 56

B. PRIMA FACIE ALLEGATIONS

1. My age was 56 at the time of the alleged violation.
2. My job performance met Respondent's expectations. I was hired on May 21, 2014.
3. On or about August 23, 2014, I my request for additional hours were denied. No reason was given.
4. Similarly situated younger employees under the age of 40 received more hours than I.

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V. A. ISSUE/BASIS
DENIAL OF TRAINING- AUGUST 23, 2014, BECAUSE OF MY AGE, 56

B. PRIMA FACIE ALLEGATIONS

1. My age was 56 at the time of the alleged violation.
2. My job performance met Respondent's expectations. I was hired on May 21, 2014.
3. On or about August 23, 2014, my request for additional training was denied. No reason was given.
4. Similarly situated younger employees under the age of 40 received training, I did not.

VI. A. ISSUE/BASIS
SENT HOME – SEPTEMBER 27, 2014, BECAUSE OF MY AGE, 56

B. PRIMA FACIE ALLEGATIONS

1. My age was 56 at the time of the alleged violation.
2. My job performance met Respondent's expectations. I was hired on May 21, 2014.
3. On September 27, 2014, I was sent home by Bernard Larry (age unknown), Manager. The reason given was because I gave a customer the wrong order.
4. Similarly situated younger employees under the age of 40 were not treated in this manner under similar circumstances.

VII. A. ISSUE/BASIS
CONSTRUCTIVE DISCHARGE – OCTOBER 12, 2014, BECAUSE OF MY AGE, 56

B. PRIMA FACIE ALLEGATIONS

1. My age was 56 at the time of the alleged violation.
2. My job performance met Respondent's expectations. I was hired on May 21, 2014.
3. Due to the continuing discriminatory conditions of my employment, I concluded that Respondent did not want me employed there and, thus, constructed a work environment so hostile and intolerable that no reasonable minded person could continue to work effectively within such an environment. Consequently, I had no other alternative but to resign from Respondent on October 12, 2014.